

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
JERIC GRIFFITH,

Plaintiff,

-against-

DETECTIVE CHARLES STEWART,  
SERGEANT ROBERT CABAN,  
THE CITY OF NEW YORK, and  
THE NYPD

Defendants.  
-----X

JUDGMENT

1:10-cv-06066-BMC-LB

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.

★ DEC 29 2011 ★

BROOKLYN OFFICE

An Order of Honorable Brian M. Cogan, United States District Judge, having been filed on December 27, 2011 adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated November 10, 2011, recommending that defendants' motion to dismiss pursuant to Fed. R. Civ. P. 37(b)(2)(A)(v); and certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith and therefore denying in forma pauperis status for purpose of an appeal;

IT IS ORDERED and ADJUDGED that defendants' motion to dismiss is granted and the action is dismissed pursuant to Fed. R. Civ. P. 37(b)(2)(A)(v) and the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the December 27, 2011 Order would not be taken in good faith and therefore in forma pauperis status is denied for purpose of an appeal.

Dated: Brooklyn, New York  
December 28, 2011

Douglas C. Palmer  
Clerk of Court

By \_\_\_\_\_  
Michele Gapinski

chm